## STATE OF ILLINOIS SECRETARY OF STATE SECURITIES DEPARTMENT

	)	
IN THE MATTER OF: EMERSON EQUITY GROUP, Its Officers,	)	
Directors, Employees, Partners, Successors, Agents and Assigns.	)	File No. 0900520
	)	

## ORDER OF PROHIBITION

TO THE RESPONDENT:

Emerson Equity Group 233 South Wacker Drive Chicago, Illinois 60606

WHEREAS, a Temporary Order of Prohibition was issued by the Secretary of State on December 30, 2009 which prohibited Emerson Equity. ("Respondent") from engaging in the business of loan brokering in the State of Illinois until further order of the Secretary of State or his duly authorized representative;

WHEREAS, pursuant to section 15-55(e) Illinois Loan Brokers Act of 1955 [815 ILCS 175/15-1] (the "Act"), the failure to request a hearing within thirty (30) calendar days of the entry of the Temporary Order shall constitute an admission of any acts alleged therein and constitute a sufficient basis to make the Temporary Order final;

WHEREAS, the Respondent has failed to request a hearing on the matters contained in the Temporary Order within thirty (30) calendar days of the entry of said Temporary Order and the Respondent is hereby deemed to have admitted the facts alleged in the Temporary Order;

WHEREAS, the Secretary of State, by and through his duly authorized representative, has adopted the Findings of Fact contained in the Temporary Order as the Secretary of State's Findings of fact as follows:

- 1. That Respondent, Emerson Equity Group, ("Emerson"), is a business entity, with a last known address of 233 South Wacker Drive, Chicago, Illinois 60606.
- 2. That on or about August 14, 2009, Emerson, by and through its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, a Loan Broker located in the State of Illinois offered to procure a loan to an individual (the "Borrower") in return for an advance fee of Eight Hundred Dollars (\$800.00), which was prepaid by the Borrower.
- 3. That the above-referenced business entity, Emerson, is a loan broker as that term is defined pursuant to Section 15-5.15. of the Illinois Loan Brokers Act of 1995 [815 ILCS 175/15-1 et seq.] (the "Act").

## Order of Prohibition

-2-

- 4. That Section 15-10 of the Act provides, <u>inter alia</u>, that it shall be unlawful for any person to engage in the business of loan brokering unless registered under the Act.
- 5. That Section 15-85, of the Act provides, <u>inter alia</u>, that it is prohibited under the Act for a loan broker to either directly or indirectly act as a loan broker without registration under the Act unless exempt under the Act.
- 6. That at all times relevant hereto, Emerson, its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, failed to file an application for registration as a loan broker with the Secretary of State prior to the aforementioned loan offer in the State of Illinois.
- 7. That by virtue of the foregoing, Emerson, it's Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, have violated Section 15-10 and/or 15-85(b) of the Act.
- 8. That Section 15-55(d) of the Act provides, inter alia, that if the Secretary of State shall find any person is acting or has acted as a loan broker as defined in Section 15-5.15 of this Act, without prior thereto or at the time thereof having complied with the registration requirements of the Act, the Secretary of State may by written order prohibit such person from acting as a loan broker in the State.

NOW THEREFORE IT IS HEREBY ORDERED THAT: pursuant to the authority granted by Section 15-55(c) and Section 15-55(d) of the Act, Emerson Equity Group, its Officers, Directors, Employees, Affiliates, Successors, Agents Partners and Assigns, are hereby **PROHIBITED** from engaging in the business of loan brokering in the State of Illinois until further order of the Secretary of State.

## Order of Prohibition

-3-

NOTICE: Failure to comply with the terms of this Order shall be a violation of Section 15-65 of the ACT. Any person who willfully this act commits a class 4 felony. This is a final order subject to administrative review pursuant to the Administrative Review Law [735 ILCS 5/3-101 et seq.] and the Rules and Regulations of the Act (14 Ill. Admin. Code, Ch. 1 Sec. 130.1123). Any action for judicial review must be commenced within thirty-five (35) days from the date a copy of this Order is served upon the party seeking review.

ENTERED: This / day of February, 2010.

JESSE WHITE Secretary of State

State of Illinois

Attorney for the Secretary of State:

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